**2**001

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8
I HEREBY CERTIFY THAT THIS DOCUMENT IS BEING
FACSIMILE TRANSMITTED TO THE PATENT AND
TRADEMARK OFFICE (FAX NO. 703-872-9306)
ON JULY 8, 2004

RECEIVED CENTRAL FAX CENTER JUL 0 8 2004

**PATENT** 

OFFICIAL

Betty J. Borger

(TYPED OR PRINTED NAME OF PERSON SIGNING CERTIFICATE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
YUHONG ZHENG, et al.	) Group Art Unit 3683
Serial No. 10/721,308	) Confirmation No. 7071
Filed: November 25, 2003	<ul><li>) Examiner Douglas C. BUTLER</li><li>)</li></ul>
For: ELECTRONIC PRESSURE RELIEF STRATEGY	) Attorney Docket 1-23791
	) Customer No. 04859

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## ELECTION OF SPECIES AND REQUEST FOR RECONSIDERATION

Honorable Sir:

In response to the Official Letter dated JUNE 30, 2004, Applicants provisionally elect the invention of Species 1 (Figures 1-4).

Applicants believe that at least the following claims are readable on Species 1: Claims 1 through 10 and 12 through 17.

## REMARKS

Applicants acknowledge and agree with the Examiner's finding that the species are patentably distinct.

Application No. 10/721,308 Reply dated July 8, 2004 Reply to Office Action of June 30, 2004

Applicants request, however, that the Examiner reconsider the restriction requirement. The species shown in each of the Figures basically includes a pump to pump fluid from a reservoir, a load (brake caliper), an apply valve to supply fluid to the load, a release valve to allow fluid to flow from the apply valve and the load to the fluid reservoir from which it can be pumped again, and electronics controlling the position of the valves and operation of the pump. Although each of the species is considered to be patentably distinct, it is believed that conducting an examination of each of the species would not create an undue hardship on the Examiner because the subject matter of the application is relatively simple and a search for each of the species would likely be in the same subclass. For at least this reason, Applicants respectfully request that the Election Requirement be withdrawn.

Respectfully submitted,

Allen W. Inks Reg. No. 37,358

MacMillan, Sobanski & Todd, LLC One Maritime Plaza, Fourth Floor 720 Water Street Toledo, Ohio 43604 (419) 255-5900